

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

UNITED STATES OF AMERICA

v.

Criminal No. M-16-0876-S3


ISMAEL LECHUGA

also known as "Junior 1"

also known as "Junior 5"

also known as "Junior 100"


PABLO ROLANDO GARCIA-SILVA

also known as "Gaspar"


ELISEO RICO-RODRIGUEZ

MARCO BENAVIDES-ARLEAGA

also known as "Marco Benavides-Irleaga"

also known as "Alexander Bennette"

also known as "Ricardo Vara"

JOSE ROMAN

MOISES RAMOS

OMAR VAZQUEZ-AVENDANO

also known as "El Toro"

DANIEL RIVERA-PEREZ

also known as "Tocayo"

LUIS BARRERA-GARZA

also known as "Hoy Nomas"


ERICA PATRICIA OCHOA

EDGAR EDUARDO MENDEZ-PENA

JESUS CEPEDA-CANO

also known as "Fensa"

ABEL CADENA-MARTINEZ


JOSE MANUEL PORTILLO-GUERRERO

also known as "Home Depot"

SEALED SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

Count One

From on or about June 2011, to on or about June 16, 2016, in the Southern District of Texas
and within the jurisdiction of the Court, defendants,


ISMAEL LECHUGA

also known as "Junior 1"

also known as "Junior 5"

also known as "Junior 100"


PABLO ROLANDO GARCIA-SILVA

also known as "Gaspar"


ELISEO RICO-RODRIGUEZ

MARCO BENAVIDES-ARLEAGA

also known as "Marco Benavides-Irleaga"

also known as "Alexander Bennette"

also known as "Ricardo Vara"

JOSE ROMAN

MOISES RAMOS

OMAR VAZQUEZ-AVENDANO

also known as "El Toro"

DANIEL RIVERA-PEREZ

also known as "Tocayo"

LUIS BARRERA-GARZA

also known as "Hoy Nomas"



ERICA PATRICIA OCHOA

EDGAR EDUARDO MENDEZ-PENA

JESUS CEPEDA-CANO

also known as "Fensa"

ABEL CADENA-MARTINEZ



and
JOSE MANUEL PORTILLO-GUERRERO
also known as "Home Depot"


did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.


In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

Count Two

On or about October 14, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,


ISMAEL LECHUGA
also known as "Junior 1"
also known as "Junior 5"
also known as "Junior 100"



PABLO ROLANDO GARCIA-SILVA
also known as "Gaspar"
and


did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more, that is, approximately 62.5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Count Three

On or about November 19, 2015, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

ISMAEL LECHUGA
also known as "Junior 1"
also known as "Junior 5"
also known as "Junior 100"
PABLO ROLANDO GARCIA-SILVA
also known as "Gaspar"
ELISEO RICO-RODRIGUEZ
MARCO BENAVIDES-ARLEAGA
also known as "Marco Benavides-Irleaga"
also known as "Alexander Bennette"
also known as "Ricardo Vara"
ERICA PATRICIA OCHOA
and


did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substance involved was 5 kilograms or more, that is, approximately 13.75 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Count Four

On or about May 25, 2016, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

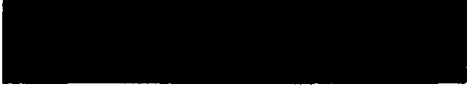
ELISEO RICO-RODRIGUEZ

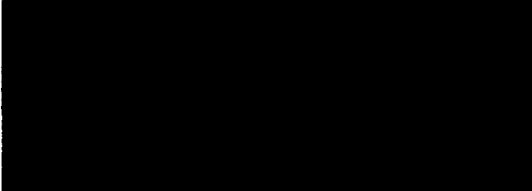
did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substances involved were 5 kilograms or more, that is, approximately 13.04 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Count Five

From on or about June 11, 2016 until on or about June 13, 2016, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, defendants,


ISMAEL LECHUGA
also known as "Junior 1"
also known as "Junior 5"
also known as "Junior 100"
OMAR VAZQUEZ-AVENDANO
also known as "El Torro"
EDGAR EDUARDO MENDEZ-PENA
JESUS CEPEDA-CANO
also known as "Fensa"
ABEL CADENA-MARTINEZ


and
JOSE MANUEL PORTILLO-GUERRERO
also known as "Home Depot"

did knowingly and intentionally possess with intent to distribute a controlled substance. The controlled substances involved were 5 kilograms or more, that is, approximately 120 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A) and Title 18, United States Code, Section 2.

Count Six

From on or about November of 2011 until June 20, 2016, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the defendants,

ISMAEL LECHUGA
also known as “Junior 1”
also known as “Junior 5”
also known as “Junior 100”
and
MARCO BENAVIDES-ARLEAGA
also known as “Marco Benavides-Irleaga
also known as “Alexander Bennette”
also known as “Ricardo Vara”

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jury, to commit offenses against the United States in violation of Title 18, United States Code, Section 1956, to wit:

a) to transport, transmit, and transfer, and attempt to transport, transmit, and transfer monetary instruments and funds involving the proceeds of specified unlawful activity, to wit: the distribution of a controlled substance, an offense punishable under Title 21 of the laws of the United States to a place in the United States from or through a place outside the United States, knowing that the monetary instruments and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, to wit: the distribution of a controlled substance, with and knowing that such transportation, transmission, and transfer was designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of specified unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(i),

and,

b) to transport, transmit, and transfer, and attempt to transport, transmit, and transfer monetary instruments and funds involving the proceeds of specified unlawful activity, to wit: the distribution of a controlled substance, an offense punishable under Title 21 of the laws of the United States to a place in the United States from or through a place outside the United States, knowing that the monetary instruments and funds involved in the transportation, transmission, and transfer represented the proceeds of some form of unlawful activity, to wit: the distribution of a

controlled substance, with the intent to promote the carrying on of the said specified unlawful activity.

In violation of Title 18, United States Code, Section 1956(a)(2)(A) and (h).

NOTICE OF CRIMINAL FORFEITURE

**NOTICE OF FORFEITURE
(21 U.S.C. § 853)**

Pursuant to Title 21, United States Code, Section 853, the United States gives notice to the Defendants charged in Counts One through Five of this Indictment, that upon conviction of a violation of Title 21, United States Code, Sections 841 and/or 846,

1. all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and
2. all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation,

is subject to forfeiture.

**NOTICE OF FORFEITURE
(18 U.S.C. § 982(a)(1))**

Pursuant to Title 18, United States Code, Section 982(a)(1), the United States gives notice to the Defendants charged in Count Six of this Indictment that upon conviction of a violation of Title 18, United States Code, Section 1956, including conspiracy, all property, real and personal, involved in such violation, and all property traceable to such property, is subject to forfeiture.

MONEY JUDGMENT

Defendants are notified that upon conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture, for which the Defendants may be jointly and severally liable, and which is at least \$32 million.

PROPERTY SUBJECT TO FORFEITURE

Defendants are notified that the property subject to forfeiture includes, but is not limited to, the following personal property:

Asset No.	Asset	Description (including VIN or account number)
1	\$32,000,000.00 in United States currency	
2	\$143,449.00 in United States currency	Seized from L.C. on or about June 16, 2016
3	\$13,000.00 in United States currency	Seized from Daniel Rivera-Perez on or about June 16, 2016
4	\$2,142,805.00 in United States currency	Seized from Ismael Lechuga on or about June 16, 2016
5	\$12,214.00 in United States currency	Seized from Ismael Lechuga on or about June 16, 2016
6	\$4,534.00 in United States currency	Seized from Luis Gerardo Barrera-Garza and E.B. on or about June 16, 2016
7	2016 Mercedes Benz G63 AMD	VIN: WDCYC7DF7GX251482, seized from Ismael Lechuga on or about June 16, 2016
8	1967 Officially Licensed "Gone in 60 Seconds" Eleanor Ford Mustang	VIN: 7F02C153750, seized from Ismael Lechuga on or about June 16, 2016
9	2014 Range Rover Sport Supercharged	VIN: SALWR2TF3EA353905, seized from L.C. on or about June 16, 2016
10	2015 Cadillac Escalade ESV	VIN: 1GYS3JKJ5FR241420, seized from L.C. on or about June 16, 2016
11	2015 Land Rover Range Rover Evoque	VIN: SALVP2BG0FH965144, seized from L.C. on or about June 16, 2016
12	2016 Mercedes Benz G63 AMG	VIN: WDCYC7DFXGX246342, seized from L.C. on or about June 16, 2016
13	2016 Chevrolet Silverado 1500 Pickup	VIN: 1GNECREC5GZ198617; seized from Ismael Lechuga on or about June 16, 2016
14	2015 Land Rover Range Rover	VIN: SALGV3TFXFA203345; seized from Ismael Lechuga on or about June 16, 2016
15	2012 Infiniti QX Sport Utility	VIN JN8AZ2ND1C9715729, seized from Luis Barrera-Garza on or about June 16, 2016
16	\$1,579,835.50	Funds seized from JP Morgan Chase Account x5179 held in the name of Ismael Lechuga
17	\$3,095.21	Funds seized from JP Morgan Chase Account x8270 held in the name of Ismael Lechuga
18	Funds or other property held in the name of Ismael Lechuga at JP Morgan Chase	JP Morgan Chase Account x6199
19	\$13,700.00	Funds seized from Frost Bank Account x3949 held in the name of Ismael Lechuga
20	\$18,663.32	Funds seized from Texas National Bank Account x7556 held in the name of Tavarez Investment Properties, LLC
21	36 MM Rolex 116234 Datejust Stainless Steel and 18K White Gold Fluted Bezel w/ Blue Jubilee Roman Dial and Oyster Bracelet Watch	Serial No. M246998 seized from Luis Gerardo Barrera-Garza and E.B. on or about June 16, 2016

Asset No.	Asset	Description (including VIN or account number)
22	44 MM Hublot Big Bang Stainless Steel Case Set with Round Diamonds Watch	Serial No. 95447 seized from L.C. on or about June 16, 2016
23	55 bottles of alcohol	Seized from Ismael Lechuga on or about June 16, 2016
24	26 handbags and sunglasses	Seized from Ismael Lechuga on or about June 16, 2016
25	22 assorted watches	Seized from Ismael Lechuga on or about June 16, 2016
26	32 items of assorted jewelry and pens	Seized from Ismael Lechuga on or about June 16, 2016

Defendants are further notified that the property subject to forfeiture includes, but is not limited to, the following real property:

- a. The real property, improvements and appurtenances located at 4123 Expressway 83 in McAllen, Texas and legally described as follows:

Lot Nine (9), Citrus Grove Plaza Phase 1-A, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded under Document No. 2385526, Map Records of Hidalgo County, Texas.

- b. The real property, improvements and appurtenances located at 4129 Expressway 83 in McAllen, Texas and legally described as follows:

Lot Ten (10), Citrus Grove Plaza Phase 1-A, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded under Document No. 2385526, Map Records of Hidalgo County, Texas.

- c. The real property, improvements and appurtenances located in McAllen, Texas and legally described as follows:

Lot Eleven (11), Citrus Grove Plaza Phase 1-A, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded under Document No. 2385526, Map Records of Hidalgo County, Texas.

- d. The real property, improvements and appurtenances located in McAllen, Texas and legally described as follows:

Lot One (1), The Gables, an addition to the City of McAllen, Hidalgo County, Texas, as per map or plat thereof recorded in Volume 38, Page 108, Map Records of Hidalgo County, Texas.

- e. The real property, improvements and appurtenances located in McAllen, Texas and legally described as follows:

Lot 19, Citrus Grove Plaza Lot 13 & 19 Subdivision, an addition to the City of McAllen, Hidalgo County, Texas, according to the plat or map thereof filed for record on April 24, 2015, in the office of the County Clerk of Hidalgo County, Texas, under Clerk's File No. 2605854.

- f. The real property, improvements and appurtenances located in Mission, Texas and legally described as follows:

Lot 1, Replat of Lots 7, 8, and 9, Lago De Cimarron Subdivision, an addition to the City of Mission, Hidalgo County, Texas, according to the map thereof recorded in Volume 34, Page 177A, Map Records of Hidalgo County, Texas.

- g. The real property, improvements and appurtenances located in Penitas, Texas and legally described as follows:

A tract of land out of Lot 6, Block 37, Homeville Association Subdivision "D," Hidalgo County, Texas, according to map thereof recorded in Volume 6, Page 36, Map Records of Hidalgo County, Texas; said tract of land being more particularly described by metes and bounds as follows:

Commencing at a point in the South line of Lot 6 and in the North line of a 47.2 foot County Road dedication, West , 244.05 feet from the Southeast corner of said Lot for the Southeast corner of these 3.0 acres;

Thence, with the South line of said Lot 6 and the North line of said 47.2 foot County Road dedication, West 163.25 feet to a point for the Southwest corner of these 3.0 acres;

Thence, North and parallel to the East line of Lot 6, 800.5 feet to a point in the North line of said Lot for the Northwest corner of these 3.0 acres;

Thence, with the North line of Lot 6, East, 163.25 feet to a point for the Northeast corner of these 3.00 acres;

Thence, South parallel to the East line of Lot 6, 800.5 feet to the Place of Beginning, containing 3.0 acre of land more or less.

SUBSTITUTE ASSETS

In the event that property subject to forfeiture, as a result of any act or omission of a Defendant,

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;

- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

the United States will seek to forfeit any other property of the Defendant up to the total value of the property subject to forfeiture, pursuant to Title 21, United States Code, Section 853(p), and Title 18, United States Code, Section 982(b) incorporating by reference Title 21, United States Code, Section 853(p).

A TRUE BILL

FOREPERSON

KENNETH MAGIDSON
UNITED STATES ATTORNEY


ASSISTANT UNITED STATES ATTORNEY